

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

THREE AMIGOS SJL REST., INC.,

Debtor.

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THREE AMIGOS SJL REST., INC.,

Plaintiff,

-against-

ALPHONSE HOTEL CORP., 250 WEST 43
OWNERS LLC, 250 WEST 43 OWNER II LLC,
250 WEST 43 OWNER III LLC, and ATHENE
ANNUITY AND LIFE COMPANY

Defendants.
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: Chapter 11 – Jointly Administered

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: Lead Case No. 16-13341 (SMB)

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: Adv. Proc. No. 16-01280 (SMB)

ORDER

This matter having come before the Court on the application of Defendants Alphonse Hotel Corp., 250 West 43 Owners LLC, 250 West 43 Owners II LLC, 250 West 43 Owners III LLC (“Defendants”), by and through their attorneys, Stroock & Stroock & Lavan LLP and Rosenberg & Estis, P.C., for an Order to remand the above-captioned adversary proceeding (“Adversary Proceeding”) to the Supreme Court for the State of New York, New York County, the Court having reviewed the moving papers and having heard the argument of counsel, and Plaintiff Three Amigos SJL Rest., Inc. not having submitted any opposing papers, and for good cause shown;

IT IS ORDERED that Defendants’ motion to remand to the Supreme Court for the State of New York, New York County, under Docket No. 162228/2014, is hereby granted ~~in its entirety~~; and [SMB: 1/12/17]

IT IS FURTHER ORDERED that the Adversary Proceeding be and is hereby remanded to the Supreme Court of the State of New York, New York County, under Docket No. 162228/2014; and

IT IS FURTHER ORDERED that a copy of this Order shall be **promptly** served upon all counsel. ~~within seven (7) days of receipt from the Court.~~[SMB: 1/12/17]

January 17th, 2017

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein